

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TOUANGA NIU, (03)

Defendant.

CR. NO. 22-00044 JAO-RT

REPORT AND RECOMMENDATION
CONCERNING PLEA OF GUILTY

REPORT AND RECOMMENDATION CONCERNING PLEA OF GUILTY

Pursuant to Rule 11 of the Federal Rules of Criminal Procedure, the Defendant appeared before me, consented to plead guilty before a United States Magistrate Judge, and entered a plea of guilty to Count 1 of the INDICTMENT.

After examining the Defendant under oath, I determined that:

- Defendant is fully competent and capable of entering an informed plea;
- Defendant understands the nature of the charge, the maximum punishments associated with the charge, and the constitutional rights associated with proceeding to a jury trial;
- The charge is supported by an independent basis in fact establishing each of the essential elements of the charge;
- Defendant's guilty plea was knowing and voluntarily made;
- Defendant knowingly and voluntarily entered into a written plea agreement with the government; and
- Defendant waived the right to appeal or collaterally attack the sentence except as provided in the plea agreement.

Therefore, I recommend that the District Judge accept the Defendant's plea of guilty, a presentence report should be prepared by U.S. Probation and have sentence imposed accordingly.

IT IS SO RECOMMENDED.

DATED: Honolulu, Hawaii, February 22, 2024.



A handwritten signature in blue ink, reading "Rom A. Trader".

Rom A. Trader
United States Magistrate Judge

NOTICE

Failure to file written objections to this Report and Recommendation within fourteen (14) days from the date of its service shall bar an aggrieved party from attacking such Report and Recommendation before the assigned United States District Judge. 28 U.S.C. § 636(b)(1)(B).